

MINUTES  
**SENATE STATE AFFAIRS COMMITTEE**

**DATE:** Wednesday, April 14, 2021

**TIME:** 8:00 A.M.

**PLACE:** Room WW55

**MEMBERS PRESENT:** Chairwoman Lodge, Vice Chairman Guthrie, Senators Winder, Anthon, Harris, Lee, Heider, and Burgoyne

**ABSENT/ EXCUSED:** Senator Stennett

**NOTE:** The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

**CONVENED:** **Chairwoman Lodge** called the meeting of the Senate State Affairs Committee (Committee) to order at 8:07 a.m.

**VOTE ON GUBERNATORIAL APPOINTMENT:** **Senator Harris** moved to send the Gubernatorial Appointment of Peter Smith to the Idaho Lottery Commission to the Senate floor with the recommendation that he be confirmed by the Senate. **Senator Winder** seconded the motion. The motion carried by **voice vote**.

**RS 28921** **Relating to Firearms to protect the rights of Idaho citizens regarding new federal executive orders and other actions.**

**Senator Todd Lakey**, District 12, explained that **RS 28921** builds upon action taken by the Idaho Legislature in 2014 that is codified in Idaho Code § 18-3315B. **RS 28921** is an amendment to Idaho Code § 18-3315B which prohibits the ordering of state and local law enforcement officials to enforce the new federal orders that violate the Idaho Constitution. **Senator Lakey** said **RS 28921** is in response to a recent executive order from the federal administration regarding firearms as well as upcoming orders that are anticipated to be coming from that administration that would infringe upon Idaho citizens' rights to keep and bear arms. This is an Idaho effort to stand against the new federal orders and actions.

**Senator Lakey** further explained this is a "status quo" bill as it existed on January 20, 2021. It is not a nullification bill, but it prohibits Idaho government entities from enforcing or supporting enforcement of the new executive orders or other actions that violate Section 11, Article 1 of the Idaho Constitution. **Senator Lakey** related that state, local, and other government entities in Idaho cannot enforce, provide funds, personnel, or resources to assist the federal government to enforce new actions against firearms, firearm accessories, and firearm components.

**Senator Winder** commented this bill will provide protection for Idaho citizens and recognition that Idaho's Constitution is a stronger proponent of the 2nd Amendment than the U.S. Constitution.

**MOTION:** **Senator Winder** moved to send **RS 28921** to print. **Senator Anthon** seconded the motion. The motion carried by **voice vote**. Senator Burgoyne was recorded as voting nay.

**MINUTES APPROVAL:** **Senator Lee** moved to approve the Minutes of February 24, 2021. **Senator Burgoyne** seconded the motion. The motion carried by **voice vote**.

**Senator Guthrie** moved to approve the Minutes of March 1, 2021. **Senator Heider** seconded the motion. The motion carried by **voice vote**.

**Senator Anthon** moved to approve the Minutes of March 3, 2021. **Senator Burgoyne** seconded the motion. The motion carried by **voice vote**.

**Senator Winder** moved to approve the Minutes of March 19, 2021. **Senator Burgoyne** seconded the motion. The motion carried by **voice vote**.

**ADJOURNMENT:** There being no further business at this time, **Chairwoman Lodge** adjourned the meeting at 8:13 a.m.

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Senator Lodge  
Chair

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Twyla Melton  
Secretary